



BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453,
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

Martha's Vineyard Commission

Land Use Planning Committee

Notes of the Meeting of May 24, 2010

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 P.M.

Commissioners Present: Linda Sibley and Chris Murphy.

MVC Staff Present: Paul Foley; Mark London; Bill Veno

LUPC SUMMARY:

- The LUPC reviewed three projects:
 - **DRI 624 Katama Airfield Hangar – Pre-Public Hearing Review**
 - **DRI 620 – Morning Glory Farm – Landscape Plan**
 - **DRI 603-M Nova Vida/ Alliance Tent – Modification Review**
- **DRI 624 Katama Airfield Hangar**
 - The proposal is to replace a 2,500 sf (50' X 50') footprint hangar with a 5,800 sf footprint hangar at the Katama Airfield.
 - The existing hangar is built mostly from parts left from the hurricane of '44 that Curtis Wright had owned. The parts are worn through and rain gets in.
 - The current agreement with the Nature Conservancy (TNC) says there can be no increase in footprints. The Airfield is willing to bring an additional large tract of land into the Conservation Restriction in exchange for this limited increase in footprint.
 - **Chris Murphy mad a Motion that the traffic study be waived because it is unnecessary. Linda Sibley duly seconded the Motion which passed unanimously.**
- **DRI 620 – Morning Glory Farm – Landscape Plan**
 - Paul Foley explained that the Applicant had been approved recently by the MVC and one of the Conditions was that a Landscape Plan had to be approved by the LUPC before a Certificate of Occupancy could be issued.
 - Mr. Athearn had been before the LUPC two weeks prior and was asked to add a few more details such as a plant list and notes to the Plan.
 - Jim Athearn displayed the proposed landscape plan. He had color coded the trees differentiating between those that are existing, those transplanted, and those to be added.
 - **Linda Sibley made a Motion that this Landscape Plan is satisfactory and should be approved. She added a thank you for the additional detail. Chris Murphy duly seconded the Motion which passed unanimously.**
- **DRI 603-M Nova Vida/ Alliance Tent – modification**
 - The proposal is to construct a 50' by 50' tent to house church services for the summer. This is a temporary solution for the church because they have no other place to meet. It is just for the summer. They would have live amplified music including drums.
 - **Chris Murphy made a Motion that this absolutely requires a full Public Hearing review as a DRI because it is a significant change to the original decision. Linda Sibley duly seconded the Motion which passed unanimously.**

1. DRI 624 Katama Airfield Hangar – Pre-Public Hearing Review

Applicant: Bob Stone (Katama Airfield Commission); Mike Creato (Airport Manager); Ted Morgan; Jane Varkonda (Edgartown Conservation Commission);

Staff Report:

- Paul Foley presented a brief staff report and slides of the site showing the location, the view from the air and street, and a sketch of the proposal.
- The proposal is to replace a 2,500 sf (50' X 50') footprint hangar with a 5,800 sf footprint hangar at the Katama Airfield.

Applicant Presentation:

- Bob Stone has been on the Katama of Airfield Commission for 12 years. He is currently the treasurer. The Airfield has been here since 1924. Curtis and Wright had a flying school as early as 1928. Mike Creato's grandfather built it out of scraps left over from the hurricanes.
- Mike Creato said that the hangar is built mostly from parts left from the hurricane of '44 that Curtis Wright had owned. The parts are worn through. Rain gets in.
- Bob Stone added that the corrugation is thin and leaking. It is not reparable. Roy Nutting was the airfield manager. The town bought the airfield along with the State and the Nature Conservancy (TNC). Ted Morgan was a Selectmen at the time. In 1997 Roy Nutting put together a Trust for the Airfield (a 501C-3) to raise money to improve the conditions of the airfield without being a drain on town expenses.
- They were able to raise \$130-140,000. That is not enough.
- With Ted's help they went to the CPA and got \$200,000 for historical reconstruction.
- They think they will have \$350,000 in construction costs. They have \$50,000 from the Town. They still need an agreement with the Nature Conservancy. The current agreement with the TNC says there can be no increase in footprints. The Airfield is willing to bring an additional large tract of land into the Conservation Restriction in exchange for this limited increase in footprint.
- Jane Varkonda said that the NHESP has reviewed the proposal and have no issues. They would want a 2-1 land swap. The new footprint adds 2,000 square feet plus or minus and the Commission can add 7,000 sf.
- The other issue is the 50-60 acres of the Nickerson Lot, the town is willing to put the Nickerson property into the CR and update the CR. There are some issues in the CR that should be updated. She has been told that the State Department of Conservation Resources (DCR) should have an answer for them shortly.
- Bob Stone added that the Trust has spent \$40,000 to put the drawings together. The CPA, the Planning Board, the Conservation Commission, and the whole town have approved the proposal. If the LUPC or MVC have any questions they will try to answer them.
- Ted Morgan added that they voluntarily decided that this was a historic resource that should be reconstructed. So they wanted to duplicate the hangar as close as they could. It would be easier to just throw up a regular hangar. This one is similar to the original but a little bigger.
- Bob Stone noted that it is going to be corrugated siding to look like a vintage 1940 or 1950's hangar. He added that the main roadblock right now is TNC.
- Ted Morgan said nothing will change. We have an agreement signed with TNC. The size of the aircraft will be the same. The only exception is an occasional vintage World War 2 plane coming in. The day to day operations of the airfield will be the same as before.
- Bob Stone said that they get along well with the Conservation people. They had a big burn out there this spring to retain the sand plain. The airfield is leased to an operator, in this case Mike

Creto. He or his staff manages the operation of the airfield and he leases the operation of the restaurant to someone else.

- They do not think that what they are proposing at the hangar will affect traffic one bit.

Motion:

- **Chris Murphy mad a Motion that the traffic study be waived because it is unnecessary. Linda Sibley duly seconded the Motion which passed unanimously.**
- Linda Sibley said that the only regional impact she could foresee is traffic, and there is none, and possibly visual but the proposal looks similar to the old one.
- Mark London asked if they were tight against a deadline.
- Bob Stone said that they would like to start construction as soon as the summer is over.
- Ted Morgan said that after they purchased the airport they took the Nickerson land by eminent domain for \$1,000,000. They took the Town to court and the Town ended up only spending \$200,000.
- The applicants were instructed to stake out the expansion a week before the hearing for a site visit.

2. DRI 620 – Morning Glory Farm - Landscape Plan

Applicant: Jim Athearn

Staff Report:

- Paul Foley explained that the Applicant had been approved recently by the MVC and one of the Conditions was that a Landscape Plan had to be approved by the LUPC before a Certificate of Occupancy could be issued.
- Mr. Athearn had been before the LUPC two weeks prior and was asked to add a few more details such as a plant list and notes to the Plan.
- Paul Foley met Mr. Athearn at the site and reviewed the plan.

Presentation:

- Jim Athearn displayed the proposed landscape plan. He had color coded the trees differentiating between those which are existing, those that will be transplanted, and those that would be added.
- All the dark green colored trees are existing trees that will remain on the site. The light green indicates new trees or bushes that are being added. There is also a detail of what the planting along the brick walk near the entry will look like.
- He said that what he is trying to do along the road is fill in the Meshacket border with more brush to block the view of the parked cars but leave enough open to see the stand.
- The brick walk is being built as we speak. The greenhouse will be surrounded by plant displays.
- The unpaved bike path is being continued to connect to the paved bike path. They are going to have a planting bed near the exit door. They are gong to have a walking path down the parking median surrounded by plantings.
- He noted that the plan shows three more shade trees in the median but he thinks they only have room for two in there. He has been trying to save the big oak near the dock but it is possible that it will come out if the drivers say it is in their way.

Commissioner Questions:

- Chris Murphy had a question about the material of the bike path and who would maintain it.
- Jim Athearn said that it will be sifted rap. He said that the Land Bank has the CR on it. He added that they will add things as needed. Since this is a high traffic area they will keep an eye on it.
- Chris Murphy asked if there is a potential for paving the new path in the future.

- Jim Athearn said that the CR says it cannot be paved.
- Linda Sibley asked how heavily the existing path is used.
- Jim Athearn said it is not used as much as he would like to see it. Not that many customers come by bike these days.
- Linda Sibley said she would be interested to see how this type of surface works.
- Jim Athearn said that if you have skinny tires you would probably not want to ride on it.
- Bill Wilcox asked what tree species he is intending for the shade trees.
- Jim Athearn replied sugar maple. They have quite a few around the property.
- **Linda Sibley made a Motion that this Landscape Plan is satisfactory and should be approved. She added a thank you for the additional detail. Chris Murphy duly seconded the Motion which passed unanimously.**
- Jim Athearn said that he is hoping the opening will be on the 28th

3. DRI 603-M Nova Vida/ Alliance Tent – Modification Review

Applicant: Valci Carvalho (Pastor); Darran Reubens (Agent)

Audience: Chris Chvatal; Mac Starks and Ann McManus; Russ Wendt; other neighbors.

Presentation:

- Darran Reuben said he had a meeting with the Building Inspector regarding their proposal to construct a 50' by 50' tent to house church services for the summer. The Oak Bluffs bylaws say a temporary structure has to meet the 50 feet setbacks. This is a temporary solution for the church because they have no other place to meet. It is just for the summer. There are a lot of things that go on during the summer time.
- The church services would be held three nights a week on Wednesday 7-9:00 pm and Friday and Sunday from 6:30 to 8:00 pm.
- The MVC Staff indicated that the big concern was likely to be noise so Darran did some research on decibels. Harvard Medical School has done some research on how loud different things are. Most of the houses on Ryan's Way are at least 150-200 feet away. That should diminish the impact of the noise on the neighbors.
- They can try to control the amplification coming out of the tent so that it is not detrimental to the neighborhood.
- Typically a church would produce similar decibel levels to a lawn mower. Once the tent goes up they would use trial and error to control the music.

Commissioner Questions:

- Chris Murphy noted that at a public hearing for a modification one of the things that will be important is where the Applicant stands with regard to the MVC DRI Decision Conditions that they said they were going to do and how well you did them.
- Darran Reubens said that the church does not have the financial resources to complete the approved project.
- Linda Sibley asked if this will be amplified live music or recorded.
- Darran Reubens said it would be amplified live music. It is not as intense as it sounds. You can control it.
- Linda Sibley asked how much the tent affects the distribution of music.
- Darran Reubens said that they are going to close the tent. There is no way of knowing how much the noise is controlled

- Mark London said that there is another church that has been meeting outside for a number of years behind Mahoney's that we could possibly monitor. They meet once a week on Sunday morning.
- Ann McManus, a neighbor, said they had to go talk to the church behind Mahoney's because it was so loud. They are further away than this would be and therefore there is no way they will not hear this.
- Linda Sibley said that the question before the MVC at this point is simply whether this is a significant change to the original approval or not.
- **Chris Murphy made a Motion that this absolutely requires a full Public Hearing review as a DRI because it is a significant change to the original decision. Linda Sibley duly seconded the Motion which passed unanimously.**
- One of the neighbors in the audience stated that they were skeptical about trying trial and error to control the music. Once the tent is up it's a done deal.
- Valci Carvalho (the Pastor) noted that the existing outdoor church uses an open tent. He would have a closed tent and try to be as quiet as possible.
- Linda Sibley asked if they were going to buy or rent the tent.
- Valci Carvalho said they are going to buy a tent which they have reserved.
- Russ Wendt, a neighbor, said he operated Celebration Tents for 17 years so if you have questions about how tents control noise he would be happy to give the MVC his opinion. In response to Mr. Murphy's question you should look through your decision and conditions and it won't take long to see how little has been implemented.
- Mark London suggested they should address the loss of 14-16 parking spaces that are indicated where the tent is now proposed.
- Darran Reubens said that the parking spaces that are being displaced are overflow spots.
- Russ Wendt noted that there is an oak tree in the middle of the location that they are proposing to put the tent.
- Valci Carvalho said that they will not cut the tree.
- Chris Murphy noted that the full Commission still has to vote on whether this is a significant change or not but suggested staff pencil them in for a public hearing on June 17th so that they can have a final answer as soon as possible.
- Russ Wendt said he would like to hear from the Building Inspector and the CEO of the Hospital to find out more about the daycare. The Decision said that the Hospital daycare would only be there for three years and would then revert back to the Hospital. From what he can gather there does not appear to be any place at the new hospital that is designated for day care. The Building Inspector should be here. The daycare never came to the MVC. What's going on the second floor? Is there going to be a boarding house up there or not.
- Bill Wilcox said they need to make sure that we have water meter readings.